

REMARKS

Reconsideration is requested.

The Examiner is requested to contact the undersigned by telephone to resolve any remaining issues or requirement. The Examiner interview of January 29, 2003, was believed to be very helpful and thought to advance prosecution. The filing of the Amendment of March 11, 2003, was believed to be completely responsive to the outstanding issues raised during the interview and the Office Action of January 2, 2003. The applicants have made a *bona fide* attempt herein to respond further and completely to the further issues requested and raised in the Office Action of June 3, 2003.

Claims 17-21, 24-27, 29-32 and 36-42 are pending. Claims 28 and 33 have been further canceled above, without prejudice.

Claims 40 and 41 have been added above based on claim 27 (basis further provided below) and the disclosure at, for example, page 5, line 29 and page 6, line 4 and lines 18-20 and following, of the specification wherein further labels are described. Claim 42 has been added based on, for example, Example 1 of the specification. The Examiner is urged to appreciate that the antibodies of claim 40 are directed against, i.e., bind to, the label of the PCR products, as described at page 6, lines 18-20 of the specification. No new matter has been added.

The Examiner has requested in the Office Action of June 3, 2003, that an indication be provided as to where support exists in the specification (by reference to page and line number) for the pending claims. An example of support is provided as follows:

Claim 17, page 4, line 25;

Claim 18, page 9, lines 11-23 and page 5, line 20 and related text;

Claim 19, page 6, line 5;

Claim 20, Example 1.4;

Claim 21, page 7, lines 25-28;

Claim 24, page 8, line 25;

Claim 25, Example 1, pages 13-17 (¶(a)) and page 10, lines 11-18, such as specifically, page 10, line 15 (¶(b));

Claim 26, page 16, line 1-6;

Claim 27, page 5, line 28, page 6, line 1, Example 3, page 22, line 6 and Example 1 (¶(a)), page 16, line 9 and page 17, lines 1-8 (¶(b)), page 9, line 11, page 10, line 4 (¶(c)) and page 9, line 11 to page 10, line 4 (¶(d));

Claim 29, page 12, line 14;

Claim 30, page 12, line 16;

Claim 31, page 12, line 17;

Claim 32, page 11, line 9 and page 11, lines 14-15;

Claim 36, page 11, lines 18-20;

Claim 37, page 11, line 22;

Claims 38, page 11, line 22; and

Claim 39, generally page 10, page 3, lines 21-22, page 12, line 15 and page 3, line 27; page 7, line 21, page 3, lines 19-20, page 4, lines 4-11 and Example 1 (¶(a) - cDNA), page 5, lines 25-27 and page 6, lines 24-27 (¶¶(b) and (c)), and page 4, lines 10-11 and page 4, lines 17-18 (¶(d)).

Support of new claims 40, 41 and 42 is noted above.

No new matter has been added.

The Examiner has also requested in the June 3, 2003 Office Action that the applicants provide a specific response to the objections of the Section 112, second paragraph, rejection indicated in separate paragraphs F), K), L), M), N), O) and Q) of the Office Action dated January 2, 2003.

The following is offered in specific response:

¶F): One of ordinary skill in the art will appreciate that the recited primer of claim 21 consists of the recited elements. That is, the primer consists of a sequence (containing a cassette of 40 to 60 nucleotide) and 10 to 20 T nucleotides. These are distinct recited elements and would not be interpreted by one of ordinary skill in the art to include a cassette of 40 to 60 nucleotides with 10 to 20 T nucleotides "dispersed amongst an additional sequence of an unspecified length" , as suggested by the Examiner. See, page 4 of the Office Action dated January 2, 2003. The 10 to 20 T nucleotides will further be recognized by one of ordinary skill in the art, in the context of the presently claimed invention, as a polyT tail, complementary to a polyA tail of mRNA. Claim 21 is definite.

¶K): Claim 25 has been further amended above in response to the Examiner's comments. Specifically, while the term "cassette" is believed to be known to one of ordinary skill in the present art, claim 25 has been amended to refer to the use of a known sequence which is used in the RT synthesis and PCR amplification step. One of ordinary skill in the art will appreciate that the "cassette" refers to a known nucleotide sequence used, for example, to start the PCR reaction from random sequences linked to, for example, the MLL gene. This artificial "cassette" or known sequence has been

introduced randomly by the RT reaction. The use of such a known sequence will be understood by one of ordinary skill in the art and claim 25 is submitted to be definite.

¶L): Claim 26 has been further amended above in response to the Examiner's comments. Claim 26 has been made dependent on claim 25 and amended to be consistent with the above-described amendment to claim 25. The recited further or second "nested amplification cycle" is illustrated, for example, in figures 1A and 1B of the specification. The use of such a nested amplification, with the known nucleotide sequence will be understood by one of ordinary skill in the art and claim 26 is submitted to be definite.

¶M): Claim 27 has been further amended above in response to the Examiner's comments. Claim 27 has been amended to further clarify that the PCR products of new step (e), former step (a) of claim 27, are the PCR products of step (b) of claim 39. Claim 24 has been made dependent above on claim 39 such that the dependency of claim 27 is submitted to be appropriate. Claim 27 has been amended to include antecedent basis for the terms and phrases indicated by the Examiner. Claim 27 is submitted to be definite.

¶N): Claim 28 has been canceled above, without prejudice, to advance prosecution. The Examiner's concerns expressed in ¶N therefore are believed to be moot.

¶O): Claim 28 has been canceled above, without prejudice, to advance prosecution. The Examiner's concerns expressed in ¶O therefore are believed to be moot.

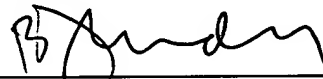
¶Q): Claim 33 has been canceled above, without prejudice, to advance prosecution. The Examiner's concerns expressed in ¶Q therefore are believed to be moot.

The above is believed to be completely responsive to the Office Action of June 3, 2003. The applicant appreciates the opportunity the Examiner has provided in the Office Action of June 3, 2003, to further clarify and address the outstanding issues and concerns of the Examiner. The Examiner is urged to contact the undersigned in the event anything further is required.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested.

Respectfully submitted,
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By: _____



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